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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/532,340	04/22/2005	Dominique Tellier	103120-00065	1524

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EXAMINER	
DONDERO, WILLIAM E	
ART UNIT	PAPER NUMBER
3654	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/23/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/532,340	TELLIER ET AL.	
	Examiner	Art Unit	
	William E. Dondero	3654	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-25 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-8 is/are rejected.

7)☒ Claim(s) 9-25 is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on 22 April 2005 is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

The information disclosure statement filed April 22, 2005 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered.

Oath/Declaration

The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:

The oath or declaration is not in English and a translation must be submitted to ensure the oath or declaration is proper.

Drawings

The drawings are objected to because due to the shading and dark hatching it is unclear what structural components the lead lines of the reference numerals are pointing to, and therefore, new drawings are required. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing

should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

Claims 9-25 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim cannot depend from any other multiple dependent claim. See MPEP § 608.01(n). Accordingly, the claims have not been further treated on the merits.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 1, the phrase "type" renders the claim(s) indefinite because the claim(s) include(s) elements not actually disclosed (those encompassed by "type"), thereby rendering the scope of the claim(s) unascertainable. See MPEP § 2173.05(b). Further regarding Claim 1, the limitation, "close to the front end thereof" renders the claim indefinite because it is unclear to which structural feature "front end" refers.

Regarding Claim 4, the limitation, "starwise", renders the claim indefinite because it is not clear what is meant by this limitation.

Claim 5 recites the limitation "the mating internal face" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Mazodier et al. (US-5996929). Regarding Claim 1, Mazodier et al. discloses A Cooled mandrel for winding a band-type product into a coil, comprising a central shaft 1 extending between a rear end connected to rotational driving means round an axis A and a front end, and a set of adjacent segments 3 mounted to slide radially on said shaft and having curved external faces which connect to form substantially cylindrical a winding surface centered on the axis of the central shaft, means 4,5,6,C for controlling a variation in diameter of the winding surface, by radial sliding of said segments (2),

between an expanded position and a retracted position, and means for cooling the surface of each segment by circulating a heat exchanging fluid comprising, for each segment, a cooling circuit 18a,18b arranged inside said segment and having an inlet orifice 29a and an outlet orifice 29b of the heat exchanging fluid connected each, by means of a fitting of variable length, to a fluid supply 44a or exhaust 44b duct, respectively, characterized in that each supply or exhaust duct, respectively is arranged, at least partially, inside the central shaft and fitted, close to the front end thereof, with a bent portion (at 33a and 33b) extending transversally to the longitudinal axis and emerging on a lateral face of said shaft via a supply 33a or exhaust 33b transversal orifice, respectively, which is connected sealingly, by at least one fitting of variable length, to at least one inlet or outlet orifice, respectively, of at least one segment (Figures 1-6). Regarding Claim 2, Mazodier et al. further disclose the winding mandrel characterized in that the fittings of variable length linking with the inlet and outlet orifices of each segment are attached to a distribution part 35 in the form of a ring having a concave internal face threaded sealingly on a smooth bearing surface of the lateral face of the central shaft, whereon are provided at least two internal orifices 43a,43b which, in the threaded position of the distribution part, are aligned each with a supply or exhaust transversal orifice, respectively, opening onto said bearing surface of the central shaft, in order to form substantially watertight a connection, and an external face whereon are provided, for each segment, two external orifices, respectively supply and exhaust orifices, associated each to a means 443 for plugging a connection fitting on an inlet or outlet orifice, respectively of the corresponding segment, each external

orifice, respectively a supply or exhaust orifice, being connected to an internal orifice, respectively a supply or exhaust orifice, via at least one channel arranged, at least partially, in the distribution part (Figures 1-6). Further regarding Claim 3, Mazodier et al. disclose the winding mandrel characterized in that it includes, for each segment, a pair of ducts, respectively supply and exhaust ducts, arranged inside the central shaft and emerging respectively, on the lateral face of the shaft, via a pair of transversal orifices, that each pair of external orifices, respectively supply and exhaust orifices, corresponding to a segment is connected by two channels arranged in the distribution part, to a pair of internal orifices, respectively supply (63) and exhaust (63') orifices, and that the pairs of internal orifices corresponding to the different segments are distributed, along the internal face of the distribution part, similarly to the pairs of transversal orifices on the insertion bearing surface of the shaft, so that, in the threaded position of the distribution part, each internal orifice, respectively the supply or exhaust orifice, lies in the extension of a transversal orifice connected to a duct, respectively the supply or exhaust duct, of the central shaft (Figures 1-6). Additionally, regarding Claim 4, Mazodier et al. disclose the winding mandrel comprising a number of segments having a radial medial plane (shown but not numbered) and extending between two radial junction planes, said radial planes being distributed starwise around the axis, characterized in that the central shaft is fitted with pairs of ducts, respectively supply and exhaust ducts, extending symmetrically on both sides of each radial medial plane and emerging each into the lateral face of the shaft via a transversal orifice having an axis parallel to said radial medial plane and in that the internal orifices and

external orifices of the distribution part are distributed by symmetrical pairs with respect to the radial medial plane of each segment and have axes parallel to said radial medial plane and aligned with the axes of each corresponding pair of transversal orifices of the insertion bearing surface of the central shaft (Figures 1-6). Regarding Claim 5, Mazodier et al. disclose the winding mandrel characterized in that the lateral face of the central shaft and the mating internal face of the distribution part are in the form of cylinders whereof the revolution is centered on the axis of the central shaft and having the same diameter, within the assembly clearance, and that the distribution part is mounted slidingly on the insertion bearing surface of the shaft with interposition of at least two annular sealing joints 47, on both sides of the aligned orifices (Figures 1-6). Regarding Claim 6, Mazodier et al. disclose the winding mandrel characterized in that the external face of the distribution part includes a plurality of connection facets (shown but not numbered), whereof the quantity is equal to the number of segments, fitted each with a pair of external orifices, respectively supply and exhaust orifices, connected to a pair of orifices, respectively inlet and outlet orifices, of the corresponding segment, by a pair of fittings of variable length having each an internal end and an external end attached respectively to a facet of the distribution part and on a connection facet 34 of the segment whereon are provided the inlet and outlet orifices of the fluid (Figures 1-6). Regarding Claim 7, Mazodier et al. disclose the winding mandrel further characterized in that the ends, respectively internal and external ends, of the fittings of each pair are attached respectively on the connection facets of the distribution part and of the segment, by two plates forming respectively an internal

flange (shown but not numbered) and an external flange (shown but not numbered) (Figures 1-6). Regarding Claim 8, Mazodier et al. disclose the winding mandrel characterized in that the external flange for fastening is each pair of fittings on each segment is attached to an intermediate plate attached itself to the connection facet of the segment by screws engaging from the outside (Figures 1-6).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Bond, Gosnell, Mazodier, and Round are cited for disclosing expansible mandrels with cooling systems.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William E. Dondero whose telephone number is 571-272-5590. The examiner can normally be reached on Monday through Friday 7:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kathy Matecki can be reached on 571-272-6951. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

wed

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